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**From:** Bausch, Carl (FTA)  
**To:** Borinsky, Susan (FTA)  
**CC:** Barr, James (FTA); Ossi, Joseph (FTA)  
**Sent:** 10/27/2009 2:21:36 AM  
**Subject:** STATUS OF ENVIRONMENTAL ISSUES FOR HAWAII PROJECT...

Here (below) is a summary of where several environmental issues stand in the environmental process for the Hawaii project, Susan. The draft of the letter you and Joe prepared regarding the design – build contract has yet to be forwarded to the sponsor; nor, to the best of my knowledge, have we been provided with a copy of the design – build agreement. It's not possible to provide a precise date when the final impact statement will be made available or when the record of decision will be published, but it is probably safe to say at this point that the sponsor will not be breaking ground for the project this year. Carl

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**From:** Barr, James (FTA)  
**Sent:** Tuesday, October 27, 2009 8:13 AM  
**To:** Bausch, Carl (FTA)  
**Subject:** RE: Honolulu Draft Letter

Carl:  
Chris had significant concerns with the 4(f) chapter in the AFEIS. Several pages of his comments are now being transmitted to Hawaii.  
My comments on the AFEIS will require revision of visual, 106 resources and (9f) chapter. I still haven't gotten to their mitigation summary chapter.  
We are making progress on the 106 issues. NTHP seems to be satisfied that we addressed their issues. I will finish the draft letter to NTHP today for circulation.  
We are probably into early December before the FEIS can be signed.  
Jim

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**From:** Bausch, Carl (FTA)  
**Sent:** Tuesday, October 27, 2009 7:01 AM  
**To:** Barr, James (FTA)  
**Subject:** FW: Honolulu Draft Letter

At this morning's 11 o'clock pre-brief meeting, Susan will ask for the environmental process status (and prospects, I suspect) for the Hawaii project, Jim. Can you summarize the status and prospects in a few sentences? Thanks. Carl

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**From:** Borinsky, Susan (FTA)  
**Sent:** Friday, October 23, 2009 7:44 PM  
**To:** Carranza, Edward (FTA); Matley, Ted (FTA); Sukys, Raymond (FTA); Marler, Renee (FTA)  
**Cc:** Day, Elizabeth (FTA); Barr, James (FTA); Bausch, Carl (FTA); Ossi, Joseph (FTA); VanWyk, Christopher (FTA); Ryan, James (FTA)  
**Subject:** Honolulu Draft Letter

Dear Folks in SF-- I ran this revised draft of Joe's letter by HQ this afternoon, but only have heard back from Joe so far. Because of the need to develop a response quickly for Honolulu, I'm forwarding this to you tonight, rather than waiting until Monday. No authorship problems here; feel free to revise. I look to TCC to make sure this letter is "right" legally. Please note Joe's note immediately below. He has a good point. Does anyone know what we permitted in Dulles, the Penta Ps or other pre-NEPA closure D-B contracts? Thanks to all. I'm sure we'll be working on this on Monday. Susan

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Susan:  
Your changes are fine with me.

Leaving the phrase "without financial penalty" out of the FR notice is an oversight that we should correct in the letter. A grant applicant who enters into a contract that would require payment of a financial penalty for choosing an alternative other than the alternative envisioned by the contract would be limiting the choice of reasonable alternatives, in violation of the referenced CEQ regulation.

Joe Ossi  
FTA Office of Planning and Environment  
(202) 366-1613

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**From:** Borinsky, Susan (FTA)  
**Sent:** Friday, October 23, 2009 5:31 PM  
**To:** Ossi, Joseph (FTA); VanWyk, Christopher (FTA); Bausch, Carl (FTA); Ryan, James (FTA); Day, Elizabeth (FTA)  
**Subject:** RE: Proposed Letter to Honolulu on D-B and Signature Authority

I'm just sending this around to TPE folks for review. I suggest that we couch our letter as a response to the Oct. 20 from DTS in which they told us they would be awarding a D-B contract this week, and taking other actions soon after. Please see what you think about my suggested re-write, which goes more to setting context than to content. Susan

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**From:** Ossi, Joseph (FTA)  
**Sent:** Friday, October 23, 2009 2:58 PM  
**To:** Ryan, James (FTA); Barr, James (FTA); Borinsky, Susan (FTA); Bausch, Carl (FTA); Carranza, Edward (FTA); Matley, Ted (FTA); Marler, Renee (FTA); VanWyk, Christopher (FTA); Sukys, Raymond (FTA)  
**Subject:** Proposed Letter to Honolulu on D-B and Signature Authority

Here is a draft letter to Honolulu, as promised.

Ed, I would like to turn it over to Region 9 to take over from here.

I would ask that any comments on the draft letter be sent to Ted (or whoever Ed designates) to incorporate.

Thanks.

Joe Ossi  
FTA Office of Planning and Environment  
(202) 366-1613